

# REGULATION

Appointing Authority Letter Reference:  CS-6803	Effective Date:  July 14, 1996August 20, 2000	Index Reference:  Position, P-Rate Compensation	Regulation Number:  4.135.04
Issuing Bureau:  Classification and CompensationHuman Resource Services	Rule Reference:  Rules 4-1.4, 4-1.6, 4-2.1, and 5-3.5Civil Service Commission Rules 5-5, 5-6		Replaces:  See BelowRegulation 4.13
Subject:  STANDARDS AND PROCEDURES FOR ASSIGNMENT OF P-RATE COMPENSATION FOR NONEXCLUSIVELY REPRESENTED EMPLOYEESPECIAL PAY PREMIUMS			

**NOTE:** ~~This regulation supersedes Appointing Authority Letter CS-6765, on “Classification Administrative Procedure C-13 for Assignment of P-Rate Compensation for Nonexclusively Represented Employees,” dated February 14, 1995, and Classification Administrative Procedure C-13, on “Standards and Procedures for Assignment of P-Rate Compensation for Nonexclusively Represented Employees,” dated October 1, 1994.~~

**AUTHORITY:**

~~The Michigan Constitution of 1963, Article XI, Section 5, states in part:~~

~~*The commission shall . . . fix rates of compensation for all classes of positions . . . make rules and regulations covering all personnel transactions, and regulate all conditions of employment in the classified service.*~~

**1. PURPOSE**

**A. This regulation establishes standards for application of special pay premiums approved by the Civil Service Commission for non-exclusively represented employees. It also establishes the standards and procedures for reviewing positions to approve or disapprove eligibility for prison premium pay (P-rate).**

**2. CIVIL SERVICE COMMISSION RULE REFERENCE:**

~~Chapter 4 of the Michigan Civil Service Commission Rules provides the basis for establishing and classifying positions.~~

~~4-1.4 Classification Plan. — The commission shall authorize an official classification plan for all positions in the classified service which shall be administered by the department of civil service.~~

~~(a) Allocation. — Every position established shall be allocated in accordance with the official classification plan.~~

~~4-1.6 Regulations. — The state personnel director shall issue any regulations necessary to implement the provisions of this chapter.~~

~~4-2.1 Position Allocation Review. — The department of civil service will provide for both a periodic and ongoing review of positions in the classified service for the purpose of reviewing the allocations of positions to ensure they continue to be properly classified.~~

~~Chapter 5 of the Michigan Civil Service Commission Rules provides the basis for administering pay and fringe benefits.~~

~~5-3.5 Special Pay Applications. — An appointing authority may require employees to work under special conditions. The official compensation plan may authorize or require extra compensation for employees in such circumstances.~~

#### **A. Rule 5-5.1 Prison Employee Premium**

**(a) Eligibility.** An employee who meets any of the following eligibility criteria is paid a special prison premium rate:

- (1) An employee assigned regular and recurring responsibility for custody or supervision of prisoners in the department of corrections.**
- (2) An employee in a position located at a correctional or a mental health facility who handles, on a regular and recurring basis, the personal, financial, or other matters affecting the well-being of prisoners of the department of corrections.**
- (3) An employee whose work location is within the security perimeter of a correctional facility or within a facility of the department of community health housing corrections prisoners, thereby placing the employee in an environment where physical confrontation could occur.**

**(b) Exception.** An employee is not eligible for prison rate if the employee's classification or a predecessor classification was granted a special 5 percent increase in Part 1B of the minutes of the civil service commission meeting on December 14, 1978. The state personnel director shall list the current ineligible classifications in the regulations.

- (c) *Rate.* The prison premium rate is \$0.40 an hour. The prison rate is paid for all hours in pay status, including holidays and leave time used but excluding administrative leave.

**B. Rule 5-5.2 High Security Retention Premium**

- (a) *Eligibility.* An employee who meets the following eligibility criteria is paid a high security retention premium.
- (1) *An employee who is classified as a Forensic Security Supervisor 11 - 14 at the department of community health center for forensic psychiatry.*
- (2) *An employee in an eligible classification who works in an eligible facility:*
- (A) *Eligible classifications.* An employee in the following classifications is eligible:
- (1) *Corrections Security Inspector 13.*
- (2) *Corrections Shift Supervisor 11, 12, or 13.*
- (3) *Deputy Prison Warden 14.*
- (4) *Assistant Resident Unit Supervisor 11.*
- (5) *Resident Unit Manager 13, if the employee's office is in a housing unit considered a high security work unit.*
- (B) *Eligible facilities.* An employee in the following facilities is eligible:
- (1) *A correctional facility designated as level 4, 5, or 6 by the department of corrections. A level 4, 5, or 6 work unit or an administrative segregation work unit at another facility (i.e., regional, multiple, levels 3, 2, and 1) is **not** eligible.*
- (2) *Huron Valley Center.*
- (3) *An employee who receives the prison employee premium of \$0.40 an hour who has 2 years of continuous service, and is employed at one of the facilities listed in subsection (a)(2)(B).*
- (b) *Rate.* The high security retention premium is \$0.50 an hour. The high security retention premium of \$0.50 an hour and the prison employee premium of \$0.40 an hour cannot be paid simultaneously.

**C. Rule 5-6.1 High Structures and Tunnels Premium**

- (a) Eligibility. An employee who works (1) on a structure over 40 feet in height that requires scaffolding or safety harnesses or (2) in a pressurized tunnel (new construction or reconstruction) is paid a hazard premium.
- (b) Exclusions. Work performed from safety buckets (aerial equipment) is not eligible for hazard premium pay. Work performed in caissons is not eligible for hazard premium pay.
- (c) Rate. The hazard premium is \$1.00 an hour for each hour of exposure. A minimum of 4 hours of hazard premium is paid for each day of exposure. The hazard premium is not paid for holidays or leave time used.

**D. Rule 5-6.2 Explosive Materials Premium**

- (a) Eligibility. An employee of the department of state police assigned to handle and dispose of explosives is paid an explosives premium.
- (b) Rate. The explosives premium is 5 percent of base salary.

**E. Rule 5-6.3 Premium for Department of Consumer and Industry Services Insurance Examiners Working out of State**

- (a) Eligibility. An employee who (1) is employed as Insurance Examiner in the department of consumer and industry services, (2) is classified as Auditor 9-12, and (3) is required to work outside of the state of Michigan for extensive periods, is paid an out-of-state location premium.
- (b) Rate. The civil service commission shall annually determine the amount of the out-of-state premium.

**F. Rule 5-6.4 Premium for Department Of Treasury Auditors Working and Residing out of State**

- (a) Eligibility. An auditor employed in the department of treasury whose principal work location and residence are outside of the state of Michigan is paid an out-of-state location premium.
- (b) Rate. The civil service commission shall annually determine the amount of the out-of-state location premium.

**G. Rule 5-6.5 Other Employees Residing out of State**

(a) Eligibility. Any other classified employee whose primary work location and residence are outside of the state of Michigan may be paid an out-of-state location premium.

(b) Rate. The civil service commission shall annually determine the amount of the out-of-state location premium.

**H. Rule 5-6.6 State Police Emergency Response Compensation.**

(a) Eligibility. A state police command officer is paid an emergency response compensation.

(b) Rate. The emergency response compensation is \$3.75 a day.

(c) Effective date. The emergency response compensation is effective October 1, 2000.

**I. Rule 5-6.7 Conservation Officer 13 Premium**

An employee classified as a Conservation Officer 13 is credited with an additional 1.2 hours of straight time compensation for each biweekly pay period.

**PURPOSE:**

~~The purpose of this regulation is to outline the standards and procedures for authorizing requests for special pay premiums (P-rate) for those positions not included in an exclusively represented bargaining unit or for exclusively represented employees in cases where the applicable bargaining unit agreement specifically references the Department of Civil Service regulations, or where P-rate is not addressed.~~

~~Refer to the State of Michigan, Department of Civil Service, Compensation Plan for further information regarding P-rate compensation.~~

~~Refer to the Personnel Payroll Information System of Michigan Procedure Manual (PPRISM), for assigning the Special Pay Code "T" for P-rate to a position.~~

**3. DEFINITION**

A. P-rate compensation is a special pay premium that is assigned to eligible positions in addition to the classification's regular compensation.

Please refer to the “Glossary” for each group in the Equitable Classification Plan (ECP) for additional definitions.

#### **4. STANDARDS:**

The following standards apply to determinations of eligibility for P-rate compensation:

- ~~1. A position is **not** eligible for P-rate compensation if the classification was identified in Part 1B, Special Increase, of the December 14, 1978, minutes of the Civil Service Commission.~~

A. 2.— A positionAn employee is eligible for P-rate compensation if ~~it~~the position has been assigned responsibility for custody or supervision of prisoners in the Department of Corrections on a regular and recurring basis, in addition to regular job duties.

1. The position must be located within an institution under the jurisdiction of the Department of Corrections, Correctional Facilities Administration, or at a Corrections center in the Field Services Operations Administration.

2. No two employees will be given credit for supervising the same prisoners.

3. Positions in other state agencies must supervise prisoners assigned from the Department of Corrections, Correctional Facilities Administration.

B. 3.— A positionAn employee is eligible for P-rate compensation if it is located at a correctional or a ~~mental~~community health facility and handles, on a regular and recurring basis, the personal, financial, or other matters affecting the well-being of Department of Corrections' prisoners/~~residents~~.

5.— A position thatAn employee who handles the personal, financial, or other matters affecting the well-being of the Department of Corrections' prisoners must have regular face-to-face contact with the affected prisoners/residents. The work being performed must be of such a nature that it could create an adversarial relationship between the prisoner/resident and the employee. Regular, recurring, and face-to-face contact is defined as contact with prisoners/residents in person, 25 percent of the time, in an environment that could permit a physical act to occur. Work performed that could create an adversarial relationship shall be defined as those situations where there is a reasonable chance of a difference of opinion leading to a physical attack by a prisoner/resident.

~~C. 4. — A position~~An employee is eligible for P-rate compensation if the work location is within the security perimeter of a correctional facility or within a facility of the Department of Community Health housing Corrections' prisoners/~~residents~~, thereby placing the employee in an environment where physical confrontation could occur.

~~2. — The p~~Positions in the Department of Community Health must be physically located within an institution under the jurisdiction of the ~~Department of Community Health~~, Bureau of Forensic Mental Health Services (Huron Valley Center or the Center for Forensic Psychiatry).

#### **INTERPRETATIONS:**

~~The above Standards should be interpreted as follows:~~

- ~~1. The position must be located within an institution under the jurisdiction of the Department of Corrections, Bureau of Correctional Facilities, or at a correction center in the Bureau of Field Services.~~
- ~~3. Positions in the other state agencies, such as the Departments of Environmental Quality, Natural Resources, State Police, and Transportation, must supervise prisoners assigned from the Department of Corrections, Bureau of Correctional Facilities.~~
- ~~4. There will be only one classified position in a work area that will be recognized as supervising the prisoners/residents. No two classified positions will be given credit for supervising the same prisoners/residents.~~

~~D. An employee is **not** eligible for P-rate compensation if classified in the following classifications identified in Part 1B, Special Increase, of the minutes from the December 14, 1978, Civil Service Commission meeting (as updated with the current non-exclusively represented classifications):~~

<del>Assistant Resident Unit Supervisor 11</del>	<del>Forensic Security Supervisor 11</del>
<del>Corrections Security Inspector 13</del>	<del>Forensic Security Supervisor 12</del>
<del>Corrections Shift Supervisor 11</del>	<del>Forensic Security Supervisor 13</del>
<del>Corrections Shift Supervisor 12</del>	<del>Resident Unit Officer E10</del>
<del>Corrections Shift Supervisor 13</del>	

~~E. 6. — The Department of Corrections' and the Department of Community Health's~~ general policyies may require employees with regular work locations outside the security perimeter to assume custodial responsibilities in emergency situations

(disturbances, riots, etc.). Such situations are not considered "regular and recurring" and do not qualify a position for P-rate compensation.

~~F. 7.~~—Incidental contact, such as passing by a prisoner porter, does not qualify ~~a position~~ for P-rate compensation.

~~G. 8.~~—Appeals of staff decisions on P-rate compensation for individual positions will be processed through the established ~~Bureau of Classification and Compensation redetermination and appeals regulation and procedure~~ Civil Service Regulation 2.03, Technical Appeal Process.

~~H.~~ If an employee vacates a position previously approved for P-rate compensation, the new employee may be assigned P-rate compensation without Department of Civil Service review if the employee is performing the same duties.

~~I.~~ If an employee receiving P-rate compensation moves to another position, the new position must be reviewed by the Department of Civil Service for the continuation of P-rate compensation.

## **5. PROCEDURES:**

### Responsibility

### Action

Appointing Authority

~~—1. Submits to the Classification Division a Position Action Request (CS-129) and a Position Description (CS-214) to request a position review for purposes of assigning P-rate compensation to a position.~~

~~Classification Division~~

~~—2. Reviews the request in accordance with the standards listed in this regulation. Approves or disapproves P-Rate with the necessary documentation on the Position Action Request.~~

~~—3. Enters the necessary information in the PPRISM.~~

~~—4. Releases the Position Action Request form.~~

Appointing Authority

~~—5. Receives the completed Position Action Request and matches the information in PPRISM.~~



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- ~~—6. Informs either agency management and  
the incumbent of the classification action  
and any appeal rights, if necessary.~~

A. An appointing authority must submit a Position Action Request (CS-129)  
form and a Position Description (CS-214) form to the Department of Civil  
Service for position review and approval prior to assigning P-rate  
compensation

**CONTACT:**

~~Please direct questions or concerns regarding this regulation to the Classification  
Division, Bureau of Classification and Compensation, P.O. Box 30002, Lansing,  
Michigan 48909, at (517) 373-3065. Address on the Internet:  
Classification@state.mi.us.~~

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**CONTACT**

Questions regarding this regulation should be directed to the Department of Civil  
Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 335-  
7862 or (517) 373-7618, or MDCS@state.mi.us.

**NOTE:** Regulations are issued by the State Personnel Director under authority  
granted in the State of Michigan Constitution and the Michigan Civil Service  
Commission Rules. Regulations that implement Commission Rules are  
subordinate to those Rules.